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ORIGINALLY FILED

21303
PATENT
450100-03492

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s) : Susumu SENSHU

Serial No. : 09/955,393

For : OPTICAL DISK, OPTICAL DISK PLAYBACK APPARATUS, AND OPTICAL DISK PLAYBACK METHOD, OPTICAL DISK RECORDING APPARATUS AND OPTICAL DISK RECORDING METHOD, AND RECORDING MEDIUM

Filed : September 18, 2001

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745 Fifth Avenue
New York, NY 10151

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Hon. Commissioner of Patents and Trademarks Washington, DC 20231, on December 12, 2001

William S. Frommer, Reg. No. 25,506

Name of Applicant, Assignee or Registered Representative

William S. Frommer
Signature

December 12, 2001

Date of Signature

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NO FEE PETITION TO REQUEST
ORIGINALLY ACCORDED FILING DATE

Office of Petitions
Commissioner of Patents and Trademarks
Washington, D.C. 20231

Sir:

This is a No Fee Petition to request that the Filing Date of September 18, 2001, the date the present application was forwarded to the Patent and Trademark Office by Express Mail, be accorded the above-referenced application.

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PATENT & TRADEMARK OFFICE
400 L Street, N.W., Washington, D.C. 20591
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A Notice to File Missing Parts of non-provisional Application (herein "Notice"), a copy of which is enclosed, issued in the above-referenced application on October 18, 2001. This application was filed with an unsigned declaration. A signed declaration with the requisite late filing fee will be filed in due course in response to the Notice.

However, the Notice also states that "Fig. 5 described in the specification" appears to have been omitted from the application. It further states that Applicant must provide proof that the missing item was in fact submitted with the application on September 18, 2001, if applicant wishes to retain September 18, 2001 as the Filing Date for this application.

A copy of the postcard which accompanied the filing of the present application, return receipt date-stamped "09/18/01", Serial No. 09/955,393, is enclosed. As is evident by this postcard, the office has acknowledged receipt of a total of eleven (11) drawing sheets.

The application consists of only eleven (11) sheets of drawings. The postcard return receipt acknowledges receipt of eleven (11) sheets of drawings. In the event the Office misplaced all of the sheets of drawings of this application, another complete set of drawings as filed on September 18, 2001, i.e., eleven (11) sheets, of which Fig. 5 is a part thereof, is enclosed with this petition.

Petitioner respectfully states that Applicant properly filed the application on September 18, 2001 and requests that the present application be accorded originally assigned filing date of September 18, 2001, as date-stamped on the postcard return receipt.

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It is believed that this is a no fee petition, but if it is deemed to be otherwise, then the Commissioner is authorized to charge Deposit Account No. 50-0320 with the amount of \$130.00.

Respectfully submitted,
FROMMER LAWRENCE & HAUG LLP

By:


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